

1 DAVID A. HUBBERT
2 Deputy Assistant Attorney General

3 KENTON MCINTOSH
4 Trial Attorneys, Tax Division
U.S. Department of Justice
P.O. Box 683
5 Washington, D.C. 20044
Phone: 202-514-3768
6 Fax: 202-307-0054
Kenton.McIntosh@usdoj.gov

7 *Counsel for the United States*

9 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

10 CHRIS DOHNAL,) Case No. 3:22-cv-00529-MMD-CLB
11 Plaintiff,)
12 v.) **ORDER GRANTING**
13 UNITED STATES OF AMERICA.,)
14 Defendants.) **Motion to Extend Time to File an
Answer (First Request)**
15 _____)

16
17 The United States of America, through undersigned counsel, respectfully moves this Court
18 for an order extending by sixty days, to April 4, 2023, the time in which it must respond to
19 plaintiff's complaint. In support of its motion, the United States asserts as follows:

20 1. The United States Attorney for the District of Nevada was served with the summons
and complaint in this action on December 5, 2022.

22 2. The Attorney General of the United States was served with the summons and
complaint in this action on December 8, 2022.

24 3. The general rule, which applies here, is the United States, its officers, and its
employees normally receive 60 days in which to file an answer or otherwise plead. Fed. R. Civ. P.
25 12(a)(2); 28 U.S.C. § 2410(b).

27 4. In this case, the government's response is due on February 3, 2023.

1 5. The additional sixty days is necessary for the Internal Revenue Service counsel to
2 locate the material necessary for the United States to respond to the complaint and defend its
3 interests. This motion is not being made for delay, but to permit the United States to prepare a
4 substantive, cogent, and accurate response which would advance this litigation.

5 6. Both the Federal and local civil rules authorize this Court to grant, for good cause,
6 an extension of time in which to answer or otherwise plead. Fed. R. Civ. P. 6(b); LR IA 6-1.

7 7. In moving for an extension of time, the United States does not waive any defenses
8 listed in Fed. R. Civ. P. 12(h).

9 For these reasons, the United States requests that its motion for an extension of time be
10 granted, and that it be given until and including April 4, 2023, in which to serve its response to
11 plaintiffs' complaint.

12
13 Dated: January 24, 2023.

14 DAVID A. HUBBERT
15 Deputy Assistant Attorney General

16 */s/ Kenton McIntosh*
17 KENTON MCINTOSH
18 Trial Attorney, Tax Division
19 U.S. Department of Justice

20 **IT IS SO ORDERED.**

21 **DATED:** January 24, 2023

22 
23 _____
24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28